IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO. 255 OF 2007

ANAND KASHINATH DESAI CURRENTLY IN JUDICIAL CUSTODY THROUGH HIS NEXT FRIEND SANJI JAIWANT NAIK ... Appellant

Versus

THE STATE OF GOA THROUGH CANACONA POLICE STATION ... Respondent

Mr. S. D. Lotlikar, Senior Advocate with Mr. Ryan Menezes, Advocate for the Applicant.

Ms. Winnie Coutinho, Public Prosecutor for the Respondent.

Coram:- N. A. BRITTO, J.

Date:- 21st November, 2007

P.C.:-

Heard Mr. S. D. Lotlikar, learned Senior Counsel on behalf of the Applicant and Ms. Winnie Coutinho, learned Public Prosecutor on behalf of the Respondent.

The Applicant herein, with the allegation that the Applicant had supplied about 15 kgs. of Ammonium Nitrate to one Parshuram who was engaged in breaking of rocks, was arrested on 2-11-2007 and since then was in police custody and from 16th instant has been remanded to judicial custody. It is also stated by the learned Public Prosecutor that at present the Applicant is admitted in Hospicio Hospital.

The Applicant having applied for bail before the Court of Sessions, by application dated 3-11-2007, his application was rejected by Order dated 15-11-2007.

Considering the facts of the case, in my view, the Applicant would be entitled to be admitted to bail. Hence, the application is allowed.

The Applicant shall be released on bail upon execution of a bond of

Rs.5000/- with one surety in the like amount to the satisfaction of the learned Sessions Judge, Margao.

Authenticated copy be issued to the Applicant.

N. A. BRITTO, J.

RD.